# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Jack Shoblom PROJECT LOCATION/WATERWAY: Alden Township, McHenry County FILE NUMBER: 200400617 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). ☐ Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: \_ □ USDA National Resources Conservation Service Soil Survey for McHenry County. U. S. Geological Survey 7.5 Minute Topographic Maps: 11ARVARD, 1970. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): 2002 Advanced Identification Wetland Maps⁻ MCHENRY COUNTY... Site Visit Conducted on: May 27, 2004 Other information: Rationale for Basis (applies to any boxes checked above): One isolated wetland occurs on the subject property. Isolated wetlands are not under Department of the Army jurisdiction. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7). Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by:

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydro soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Date:

Approved by:

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 20040061	7								
REGULATORY PROJECT	MANAGE	R: K	ate Bliss		Date	e: 5/28/04			
PROJECT REVIEW/DETE			PLETE	70000	the office roject site	(Y/N) Y (Y/N) Da	Date: ate: 5/27/04		
State: County: Center coordinates Approximate size o Name of waterway SITE CONDITIONS:	of site by l	atitude & erty (inclu				Illinois McHeni 42 -25-3 3		-33-23.3557	
Type of aquatic resource1	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	Unknown
Lake								1000	
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)	_								
<sup>1</sup> Check appropriate boxes that jurisdictional aquatic resource		type of iso	lated, nor	ı-navigable, i	ntra-state w	ater present a	nd best estim	ate for size o	f non-
Migratory Bird Rule Factors':				If Known	100	If Unknown Use Best Profe	ssional Judg	ment	

Migratory Bird Rule Factors <sup>1</sup> :	If Knov	vn	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	$\boxtimes$					
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?						
<sup>1</sup> Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated	

# TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago

Preliminary 
Or Approved

APPLICANT: SPACECO, Inc. PROJECT LOCATION/WATERWAY: 3.7 Acre Site at Flossmoor Road and Crawford Avenue in Flossmoor, Cook County, Illinois (Section 11, T35N, R13E).
FILE NUMBER: 200400562 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>☐ There are no jurisdictional waters of the United States present on the project site.</li> <li>☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>☐ Other:</li> <li>☐ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>U. S. Fish and Wildlife Service National Wetland Inventory: HARVEY.</li> <li>U. S. Geological Survey Hydrologic Atlas: HARVEY, 90.</li> <li>USDA Natural Resources Conservation Service Soil Survey for Cook County.</li> <li>U. S. Geological Survey 7.5 Minute Topographic Maps: HARVEY, 1993.</li> <li>U. S. Geological Survey 7.5 Minute Historic Quadrangles:</li></ul>
Rationale for Basis (applies to any boxes checked above): The wetlands on the property drained through a culvert on the northeast corner of the property to the north into a drainage ditch on the west side of Pulaski. Water in the ditch flowed north through several yards and culverts, then east into a neighborhood, then north through a long stretch of culvert and ditch, then into a sanitary sewer, where it became untraceable.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):
Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]</li> </ul>
Confirmation of Wetland Boundaries
This office concurs with your wetland delineation report dated prepared by  This office does not confirm your wetland boundary.
Recommended by: ORIGINAL SIGNED Date:
Approved by:
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400562		
REGULATORY PROJECT MANAGER:	Steve Gagnon	Date: 27 May 2004

PROJECT REVIEW/DETERMINATION COMPLETED: (Y/N) Date: At the project site Y (Y/N) Date: 25 May 2004

PROJECT LOCATION INFORMATION:

State: Illinois County: Cook

Center coordinates of site by latitude & longitudinal coordinates: 41 -32-37.7685; 87 -42-45.3484 3.7

Approximate size of site/property (including uplands & in acres):

Name of waterway or watershed:

Little Calumet River Basin

Preliminary 
Or Approved

SITE CONDITIONS:

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat							П		
Wetlands		$\boxtimes$							
Slough									
Prairie pothole									
Wet meadow								-	
Playa lake									
Vernal pool									
Natural pond			Ī	ī					
Other water (identify type)									
<sup>1</sup> Check appropriate boxes that jurisdictional aquatic resource		type of iso	olated, non-	-navigable, i	ntra-state wat	er present ar	d best estim	ate for size of	f non-

Migratory Bird Rule Factors <sup>1</sup> :	If Knov	vn	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	$\boxtimes$					
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?		$\boxtimes$				
<sup>1</sup> Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated,	

Т	VDE	OF	DET	FDD	MIN	ATION.	

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; pa	ragraphs 2-3 -
rationale used to determine NJD, including information reviewed to assess potential navigation or interstate	commerce
connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):	

#### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Brian Lochman PROJECT LOCATION/WATERWAY: 3 Acre property at the SW Corner of 17th Street and Sheridan Road in Zion, Lake County, Illinois (Section 15, T46N, R12E). FILE NUMBER: 200400643 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. ☐ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory. U. S. Geological Survey Hydrologic Atlas:
USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: ZION, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date):Lake County 6" 2000 ☐ Advanced Identification Wetland Maps: Site Visit Conducted on: 21 May 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetland drains from property into a storm sewer and becomes untraceable. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987). 2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 20040064	0									
REGULATORY PROJECT	MANAGER	t: Steve Gag	non	Date:	27 May 2004					
PROJECT REVIEW/DETE				the office roject site Y	(Y/N) (Y/N)		y 2004			
PROJECT LOCATION IN	FORMATIO	N:								
State:					Illinois	6				
County:					Lake					
Center coordinates Approximate size	70 CO. 10 TO.				42 -27- 3	-57.1992; 87	-49-29.9563	3		
Name of waterway SITE CONDITIONS:	or watershe	d:			Lake N	lichigan				
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac 3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknov		
Lake										
River			T		П					
Stream		n h	16	Th				T		
Dev Wesh			<b>H</b>			15	-	15		

Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

X

If Know	vn	If Unknown Use Best Professional Judgment			
Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Ø					
				$\boxtimes$	
	$\boxtimes$				
	Yes	Yes No	Use Best Properties  Yes No Predicted to Occur  □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	Use Best Professional Judgment  Yes No Predicted Not Expected to to Occur  □ □ □ □ □  □ □ □ □	

Preliminary ☐ Or Approved ☒

### TYPE OF DETERMINATION:

Mudflat Sandflat Wetlands

Slough
Prairie pothole
Wet meadow
Playa lake
Vernal pool
Natural pond

Other water (identify type)

APPLICANT: Clarke Real Estate PROJECT LOCATION/WATERWAY: Northeast of the Intersection of Dralle Road and Harlem Avenue in Monee, Will County, Illinois FILE NUMBER: 200400139 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed  U. S. Fish and Wildlife Service National Wetland Inventory: FRANKFORT.  U. S. Geological Survey Hydrologic Atlas: FRANKFORT, 231.  USDA Natural Resources Conservation Service Soil Survey for Will County.  U. S. Geological Survey 7.5-Minute Topographic Maps: FRANKFORT, 1990.  U. S. Geological Survey 7.5-Minute Historic Quadrangles:  U. S. Geological Survey 15-Minute Historic Quadrangles:  Aerials (Name & Date): Monce, 2002  Advanced Identification Wetland Maps:  Site Visit Conducted on: May 4, 2004  Other information:
Rationale for Basis (applies to any boxes checked above): Wetland A and Wetland D are isolated and therefore not jurisdictional. Wetland C is adjacent to Forked Creek. Wetland B and Wetland E are hydrologically connected to Forked Creek Forked Creek flows into the Kankakee River, a navigable waters of the United States.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary
Recommended by: Date: 25 May 04
Date: 25 May 04
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400139										
REGULATORY PROJECT MANAGER: Melyssa Cruz Date: May 25, 2004										
PROJECT REVIEW/DETER			PLETI	5510,400,000	In the offic e project si	777 man 33 and 33		25, 2004		
PROJECT LOCATION INFORMATION: State: Illinois County: Will										
Center coordinates of site by latitude & longitudinal coordinates: Lat 41-26-48.3002 Long 87-46-36.1360										
Approximate size of site/property (including uplands & in acres):  Name of waterway or watershed:  SITE CONDITIONS:  Kankakee River										
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 a	c > 50 ac	Linear feet	Unknown	
Lake										
River										
Stream										
Dry Wash										
Mudflat										
Sandflat										
Wetlands										
Slough			П						I	
Prairie pothole			ī			Th				
Wet meadow	Ħ	Ti Ti		ī				1	T T	
Playa lake	П	Ī	ī	П				11	Ti Ti	
Vernal pool	n	ī							Ti i	
Natural pond	H	H	Ti -	H		H				
Other water (identify type)		ă	Ö	Ī						
<sup>1</sup> Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	on-navigabl	e, intra-state	water presen	t and best estima	ite for size of	non-	
Migratory Bird Rule Factors <sup>1</sup> :				If K	Cnown		If Unk			
				Yes	No	Predicted to Occur	Not Expected Occur	to Not /	ent Able To Make termination	
Is or would be used as habitat for I Migratory Bird Treaties?	oirds prot	ected by				⊠ ⊠			mination	
Is or would be used as habitat by o cross state lines?	ther migr	atory birds	that							
Is or would be used as habitat for e	endangere	d species?								
Is used to irrigate crops sold in inte	erstate con	mmerce?				$\boxtimes$				
<sup>1</sup> Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.										

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

Preliminary ☐ Or Approved ☒

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

TYPE OF DETERMINATION:

#### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Intech Consultants PROJECT LOCATION/WATERWAY: Northwest of the Intersection of Route 59 and 95th Street in Naperville, Will County, Illinois FILE NUMBER: 200400476 PROJECT REVIEW COMPLETED: 
☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site.

There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: NAPERVILLE. U. S. Geological Survey Hydrologic Atlas: NAPERVILLE, HA 154. □ USDA Natural Resources Conservation Service Soil Survey for DuPage County. U. S. Geological Survey 7.5 Minute Topographic Maps: NAPERVILLE, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_ Aerial Photographs (Name & Date): Naperville, 2002 Advanced Identification Wetland Maps: Site Visit Conducted on:
Other information: Rationale for Basis (applies to any boxes checked above): Wetland A and Wetland B are isolated and therefore not jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by: Approved by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987). <sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT	MANAGE	ER: N	1elyssa Cr	uz	Dat	e: May 25, 20	004		
PROJECT REVIEW/DETE	ERMINATI	ON COM	IPLETEI	2.2	n the office project site	//		y 25, 2004	
PROJECT LOCATION IN State: County: Center coordinates Approximate size of Name of waterway	s of site by l	atitude &		linal coor	dinates:	Illinois Will N 41.4 W 88 1	2 45.33		
SITE CONDITIONS:  Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	Unknown
Lake			-					feet	<del> </del>
River		1 -	-	+=			17		18
Stream		H			$ \vdash$ $\vdash$ $\vdash$		H		
Dry Wash		12	+ = -	+=	18	H	17		H
Mudflat			H	H	-   -	H	17		+=
Sandflat		H	H	H	15		+=		16
Wetlands			H	H	11		1		17
Slough	+=			17		H			
Prairie pothole		17				H			17
Wet meadow		H	TH-		12	H	TH		H
Playa lake		H	H	18		TH	Ti Ti		H
Vernal pool	H	H	H	H	17	H	H		
Natural pond		H	H	H		H			THE STATE OF THE S
Other water (identify type)	_								
<sup>1</sup> Check appropriate boxes that l jurisdictional aquatic resource		type of iso	lated, non	-navigable	, intra-state w	vater present a	nd best estima	ate for size o	f non-
Migratory Bird Rule Factors <sup>1</sup> :				If Known		If Unknown Use Best Prof	essional Judgr	ment	
				Yes	No	Predicted to Occur	Not Expected	to Not	Able To Mak
Is or would be used as habitat fo	or hirds neat	acted by				⊠ Secur			minativii

#### TYPE OF DETERMINATION:

Is or would be used as habitat by other migratory birds that

Is or would be used as habitat for endangered species? Is used to irrigate crops sold in interstate commerce?

non-navigable, intra-state aquatic resource area.

Migratory Bird Treaties?

cross state lines?

Preliminary	Or Appr	Days
Preliminary	Ur Appr	oved A

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

1 Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,

 $\boxtimes$ 

 $\boxtimes$ 

APPLICANT: Pulte Homes PROJECT LOCATION/WATERWAY: Northeast of the Intersection of Route 30 and Chapins Road in Plainfield, Will County, Illinois FILE NUMBER: 200400430 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site.  The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))  The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))  The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))  The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))  The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).  Other:
Section 10 waterway.
Information Reviewed  □ U. S. Fish and Wildlife Service National Wetland Inventory: NORMANTOWN.  □ U. S. Geological Survey Hydrologic Atlas: NORMANTOWN, 210.  □ USDA Natural Resources Conservation Service Soil Survey for Will County.  □ U. S. Geological Survey 7.5-Minute Topographic Maps: NORMANTOWN, 1993.  □ U. S. Geological Survey 7.5-Minute Historic Quadrangles:
Rationale for Basis (applies to any boxes checked above): The two wetlands located on the subject property are isolated and therefore not jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary  destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)  Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria  Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria  Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary  This office does not confirm your wetland boundary
Recommended by: 5 Date: 25 May 84  Approved by: Date: 25 May 84
Approved by:
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400430										
REGULATORY PROJECT M	1ANAGE	R: M	elyssa C	Cruz	D	ate: May 25,	2004			
PROJECT REVIEW/DETER  PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of	ORMATIO	ON: atitude &	longitu	At the		te Y (Y/N Illino Will Lat 4	Date: May			
Name of waterway o SITE CONDITIONS:						Des P	Plaines			
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	c > 50 ac	Linear feet	Unknov	wn
Lake								leet		
River	H		Ħ	17					16	
Stream	H	17	H	10	16	H	H	17	T T	
Dry Wash	H	H	H	THE STATE OF THE S		H	T Fi	1	Th	
Mudflat	H	In	h	n		l iii				
Sandflat	Ti	ħ	ī	Th		n				
Wetlands	Ħ	×		T						
Slough										
Prairie pothole										
Wet meadow										
Playa lake										
Vernal pool										
Natural pond										
Other water (identify type)										
<sup>1</sup> Check appropriate boxes that be jurisdictional aquatic resource are		type of iso	lated, no	n-navigable	e, intra-state	water present	and best estima	ate for size of	f non-	
Migratory Bird Rule Factors <sup>1</sup> :				If K	nown		If Unl Use Best Profes	known sional Judgn	ent	
				Yes	No	Predicted to Occur	Not Expected Occur	to Not	Able To M	
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by								
Is or would be used as habitat by coross state lines?	other migr	atory bird	sthat							
Is or would be used as habitat for	endangere	d species?				$\boxtimes$				
Is used to irrigate crops sold in int			11.5			Ø				

TYPE OF DETERMINATION: Preliminary Or Approved

Is used to irrigate crops sold in interstate commerce?

non-navigable, intra-state aquatic resource area.

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

201, 100	
APPLICANT: Neumann Homes PROJECT LOCATION/WATERWAY: Fox River Water	ershed
FILE NUMBER: 200400309 PROJECT REVIEW COMPLETED: ⊠ Office ⊠ Field	
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). A action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project.	
Basis of Jurisdictional Determination:	
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be s interstate or foreign commerce, including all waters which are subject to the ebb and flow of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 32</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including interstandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>	of the tide (i.e., navigable waters  2))  28.3 (a)(5)) ate or other waters of the US, rmittent streams), mudflats,
Information Reviewed  □ U. S. Fish and Wildlife Service National Wetland Inventory: SUGAR GROVE. □ U. S. Geological Survey Hydrologic Atlas: SUGAR GROVE, HA 227. □ USDA Natural Resources Conservation Service Soil Survey for Kane County. □ U. S. Geological Survey 7.5 Minute Topographic Maps: SUGAR GROVE, 1993. □ U. S. Geological Survey 7.5 Minute Historic Quadrangles: □ U. S. Geological Survey 15 Minute Historic Quadrangles: □ Aerial Photographs (Name & Date): Digiair 2001 □ Advanced Identification Wetland Maps: □ Site Visit Conducted on: April 29, 2004 by Jaimee Hammit □ Other information:	
Rationale for Basis (applies to any boxes checked above): Wetlands 1-8 do not have a current connection to a navibale water of the United States and are therefore not under the jurisdiction of Engineers.	
Lateral Extent of Jurisdiction (33 CFR 328 and 329):	
Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soils wetland boundary  destruction of terrest shelving other:	trial vegetation
Basis for Declining Jurisdiction:	
<ul> <li>✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or ∴</li> <li>✓ Area under consideration is likely to have been jurisdictional under pre-SWANCO</li> <li>✓ Area under consideration is not likely have been jurisdictional under pre-SWANCO</li> <li>✓ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of Confirmation of Wetland Boundaries</li> <li>✓ This office concurs with your wetland delineation report dated prepared by This office does not confirm your wetland boundary.</li> </ul>	C Migratory Bird Rule criteria C Migratory Bird Rule criteria of HQ rationale]
Recommended by:	5/19/09
Approved by:	5/25/04
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Deli occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetla from methods described in the Corps Wetland Delineation Manual (1987).	

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chica FILE NUMBER: 20040030	0								
REGULATORY PROJECT	MANAGE	R: Ja	aimee Han	nmit	Date:	May 14, 2	2004		
PROJECT REVIEW/DETE	RMINATI	ON COM	IPLETEI		the office Y project site Y	5.0	Date: Ma Date: April :	y 14, 2004 29, 2004	
PROJECT LOCATION IN	FORMATION	ON:							
State:						Illinoi	S		
County:						Kane			
Center coordinates	s of site by I	atitude &	longitud	inal coord	inates:	Latitud	de: 41-44-52.	0875, Longit	tude:
88-26-56.2616	192								
Approximate size	of site/prope	erty (inch	uding upl	ands & in	acres):	893			
Name of waterway			0 1		6	Fox R	iver Watershe	ed	
SITE CONDITIONS:									
				,					
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknow
Lake									
River									
Stream									
Dry Wash						I			

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup> :	If Knov	vn	1000 00	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination			
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			×					
Is or would be used as habitat by other migratory birds that cross state lines?								
Is or would be used as habitat for endangered species?					$\boxtimes$			
Is used to irrigate crops sold in interstate commerce?								
Is used to irrigate crops sold in interstate commerce?  Check appropriate boxes that best describe potential for appronnenavigable, intra-state aquatic resource area.	icability o	f the Migra	tory Bird Rule to	apply to onsite, non-				

TYPE OF DETERMINATION:

Mudflat Sandflat Wetlands Slough Prairie pothole Wet meadow Playa lake Vernal pool Natural pond

Other water (identify type)

Preliminary		Or Approved	$\times$	1
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APPLICANT: Jacob & Hefner Associates, P.C. PROJECT LOCATION/WATERWAY: 10 Acre Site on Willis Avenue in Wheeling, Cook County, Illinois (Section 14, T42N, R11E).
FILE NUMBER: 200400304 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>☐ There are no jurisdictional waters of the United States present on the project site.</li> <li>☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>☐ Other:</li> <li>☐ Section 10 waterway.</li> </ul>
Information Reviewed
<ul> <li>☑ U. S. Fish and Wildlife Service National Wetland Inventory: ARLINGTON HEIGHTS.</li> <li>☐ U. S. Geological Survey Hydrologic Atlas:</li></ul>
Rationale for Basis (applies to any boxes checked above):  Wetland on the property did not exhibit an apparent hydrologic connection to navigable waters  Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other:  wetland boundary
Basis for Declining Jurisdiction:
<ul> <li>☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>☐ Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries  This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary.  Recommended by:  Date:
O'HIGHNAL SIGNED
<sup>1</sup> Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
Wuthinds consisted from other victors of the U.S. by man made dikes or harriest natural river harrist hands during and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

	T MANAGE	ER: St	eve Gagn	on	Date:	24 May 200	4		
PROJECT REVIEW/DET	ERMINATI	ON COM	PLETE		the office roject site Y	(Y/N) D	Date:		
PROJECT LOCATION IN	FORMATI	ON:		retine p	roject site 1	(1/1.1)			
State:						Illinois			
County:						Cook			
Center coordinate	s of site by l	atitude &	longitud	inal coordi	nates:	42 -7-10	.7501; 87 -5	55-15.2770	
Approximate size						10	2011-0-08130-08130-08130-03		
Name of waterwa						Des Plai	nes		
SITE CONDITIONS:	5.								
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	Unknow
ake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Vetlands		X							
lough						T T			
rairie pothole		T T							T
									TIT
Vet meadow				n					
Vet meadow Playa lake			-		In	In			
72.77 (C.) 1 (2.97 (C.) 1 (2.1)									
Playa lake			H	H	<del>                                     </del>	Ħ	П		In

If Knov	'n	If Unknown Use Best Professional Judgment			
Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
$\boxtimes$					
$\boxtimes$					
				$\boxtimes$	
	$\boxtimes$				
	Yes		Use Best Provided to Occur	Use Best Professional Judgment Yes No Predicted Not Expected to to Occur  □ □ □ □ □  Use Best Professional Judgment Not Expected to Occur  □ □ □ □ □	

Preliminary ☐ Or Approved ⊠

## TYPE OF DETERMINATION:

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Mr. Andy Silvestri PROJECT LOCATION/WATERWAY: Fox River Watershed FILE NUMBER: 200400597 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.c., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: ☐ Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: Geneva. U. S. Geological Survey Hydrologic Atlas: GENEVA, HA 142. □ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): AirPhotoUSA October 22, 2002 ☐ Advanced Identification Wetland Maps: Site Visit Conducted on: May 6, 2004 by Jaimel Hammit Other information: Rationale for Basis (applies to any boxes checked above): The wetland on site does not have a current or demonstrable historic surface connection to a navigable water of the United States and is therefore not under the jurisdiction of the Department of the Army. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by:

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Approved by:

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT	C MANAGE	<b>D</b> . 1	aimee Hai	mmit	Dat	e: May 13, 20	04		
REGULATORI TROJECT	MANAGE	. J.	innee mai	HIHIC	Dat	e. May 15, 20	04		
PROJECT REVIEW/DETE	ERMINATI	ON COM	IPLETE		the office `roject site			14 6,200	Ч
PROJECT LOCATION IN State: County: Center coordinate 22-32.3493 Approximate size	s of site by l	atitude &		linal coordi	nates:	Illinois Kane		791, Longitu	
Name of waterway			anne al			\$100 miles	er Watersho	ed	
SITE CONDITIONS:									
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	Unknown
Lake									
River									
Stream									
Dry Wash		ī		Th		Th			
Mudflat					T				T
Sandflat				10					Ti
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool								7 1000 1000	
Natural pond									
Other water (identify type)	_								
Check appropriate boxes that jurisdictional aquatic resource		type of iso	lated, non	-navigable, i	ntra-state w	ater present ar	nd best estim	ate for size o	f non-
Migratory Bird Rule Factors <sup>1</sup> ;				If Known		If Unknown			
						Use Best Profes	ssional Judg	ment	

No	Predicted	Not Demonded to	
	to Occur	Not Expected to Occur	Not Able To Make Determination
	Ø		
			$\boxtimes$

TYPE OF DETERMINATION:

Preliminary Or Approved 🛛

#### APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mark Janeck PROJECT LOCATION/WATERWAY: Tributary to Nippersink Creek/McHenry County200 FILE NUMBER: 200400283 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: RICHMOND, HA 303. ☑ USDA National Resources Conservation Service Soil Survey for McHenry County. U. S. Geological Survey 7.5 Minute Topographic Maps: RICHMOND, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: MCHENRY, 1944. Aerial Photographs (Name & Date): 2002 Advanced Identification Wetland Maps: MCHENRY COUNTY... Site Visit Conducted on: May 4, 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetlands W-1 and W-3 and Waters of the U.S., W-2, are tributary to a navigable waterway. W-1 and W-2 drain to W-2, which flows to Wonder Lake. Wonder Lake drains to Nippersink Creek, which drains to the Fox River, a naviagable waterway. Wetlands W-4, W-5 and W-6 are isolated waters, not under jurisdiction of the Department of the Army. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Date: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT	MANAGE	R: K	ate Bliss		Date:	5/6/04			
PROJECT REVIEW/DETE	ERMINATI	ON COM	PLETE		the office roject siteY	(Y/N) Da	Date: ate: 5/4/04		
PROJECT LOCATION IN	FORMATIO	ON:			,,	,,			
State:						Illinois			
County:						McHenr	y		
Center coordinates	s of site by I	atitude &	longitud	inal coordi	nates:	42-23-5	3.9350, 88-2	22-43.6700	
Approximate size	of site/prope	erty (inch	iding upl	ands & in a	cres):	126			
Name of waterway	or watersh	ed:				Nippersi	ink Creek, F	ox River	
SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	Unknown
Lake								icci	
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
50 100 100 100 100 100 100 100 100 100 1		110.00 10.0							
¹Check appropriate boxes that							1		
	boot donneibe	type of ica	lated non	navigable is	atra-state wat	er present an	d best estim	ate for size of	non-

If Know	n	If Unknown Use Best Professional Judgment			
Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
	$\boxtimes$				
	Yes	Yes No	Yes No Predicted to Occur	Ves No Predicted Not Expected to to Occur	

Preliminary ☐ Or Approved ⊠

# TYPE OF DETERMINATION:

# APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Harlem-Ridgeland L.L.C. PROJECT LOCATION/WATERWAY: Intersection of Ridgeland Avenue and Sauk Trail in Richton Park, Cook County, Illinois (Section 29 & 31, T35N, R13E) FILE NUMBER: 200400253 PROJECT REVIEW COMPLETED: Office Field Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. ☐ There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US (33 CFR 328.3). The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: ☐ Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: □ U. S. Geological Survey Hydrologic Atlas: □ USDA Natural Resources Conservation Service Soil Survey for Cook County. U. S. Geological Survey 7.5 Minute Topographic Maps: FRANKFORT, 1990. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: PEOTONE, 1949. ☐ Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: March 30, 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetland 3, Wetland 4, and Wetland 5, as referenced in your wetland delineation report, are considered jurisdictional due to their hydrologic, surface connection to Hickory Creek, which drains into the Des Plaines River, a navigable waterway. Wetland 1 and Wetland 2 are considered isolated. In addition the unnamed farmed wetlands identified by the Natural Resources Conservation Service are also considered isolated Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving the presence of litter and debris changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated September 19, 2003, prepared by Christopher B. Burke Engineering, Ltd. This office does not confirm your wetland boundary. Recommended by: Approved by:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (\$7 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>&</sup>lt;sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 200400253			
REGULATORY PROJECT MANAGER: Paul Leffl	er Date:	14 Apr 2004	1
PROJECT REVIEW/DETERMINATION COMPLETE		(Y/N)	Date: 14 Apr 2004
	At the project site	(Y/N)	Date: 30 Mar 2004
PROJECT LOCATION INFORMATION:			
State:		Illinois	
County:		Cook	
Center coordinates of site by latitude & longitu	dinal coordinates:	41 -28-5	6.5325 87 -46-24.2134
Approximate size of site/property (including up	plands & in acres):	100 ac	
Name of waterway or watershed:	5.000	Des Plai	nes
SITE CONDITIONS:			

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	$\boxtimes$								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

Migratory Bird Rule Factors <sup>1</sup> :	If Knov	vn	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?		$\boxtimes$				
Is used to irrigate crops sold in interstate commerce?						
<sup>1</sup> Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability o	f the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated.	

Preliminary 
Or Approved

## TYPE OF DETERMINATION:

APPLICANT: Eriksson Engineering PROJECT LOCATION/WATERWAY: St. Alexius Medical Center Property at 1555 Barrington Road in Hoffman Estates, Cook County, Illinois (Section 7, T41N, R10E).
FILE NUMBER: 200400475 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>□ There are no jurisdictional waters of the United States present on the project site.</li> <li>□ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>□ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>□ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>□ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))</li> <li>□ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>□ Other:</li> <li>□ Section 10 waterway.</li> </ul>
Information Reviewed  □ U. S. Fish and Wildlife Service National Wetland Inventory: STREAMWOOD.  □ U. S. Geological Survey Hydrologic Atlas: STREAMWOOD, HA 203.  □ USDA Natural Resources Conservation Service Soil Survey for Cook County.  □ U. S. Geological Survey 7.5 Minute Topographic Maps: STREAMWOOD, 1993.  □ U. S. Geological Survey 7.5 Minute Historic Quadrangles:  □ U. S. Geological Survey 15 Minute Historic Quadrangles:  □ U. S. Geological Survey 15 Minute Historic Quadrangles:  □ Aerials (Name & Date):AirPhoto 1999  □ Advanced Identification Wetland Maps:  □ Site Visit Conducted on: 28 April 2004  □ Other information:
Rationale for Basis (applies to any boxes checked above):  Poplar Creek flows into the Fox River, a navigable water. Jurisdictional wetlands on the property are those that are directly adjacent to the creek. One cattail wetland in the middle of the property does not appear to have a hydrologic surface connection to Poplar Creek and is therefore not under jurisdiction of this office.  Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving other:  wetland boundary
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)  ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]  Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated 4 October 2004, prepared by V3 Consultants. ☐ This office document confirm vour, wetland boundary.  Recommended by: ☐ Date: ☐ April 2004 ☐ Approved by: ☐ Date: ☐ Date: ☐ April 2004 ☐ Date: ☐ April 2004 ☐ Date: ☐
Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicag FILE NUMBER: 200400475									
REGULATORY PROJECT	MANAGE	R: St	eve Ga	gnon	D	ate: 30 April	2004		
PROJECT REVIEW/DETER	RMINATIO	ON COM	PLETI	17-17-18-18-18-18-18-18-18-18-18-18-18-18-18-	In the offic e project si	7	N) Date: Date: 30 April	2004	
PROJECT LOCATION INF	ORMATIO	ON:							
State:						Illing			
County:						Cook			
Center coordinates							-19.1032; 88 -8	-30.4582	
Approximate size of		1777	iding u	plands & i	n acres):	20			
Name of waterway	or watersh	ed:				Fox I	River Watershed		
SITE CONDITIONS:									
	1	122			10.00	22.20		1	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 a	> 50 ac	Linear feet	Unknown
Lake	1		$\vdash \sqcap$					icci	
River		H	H					-	17
Stream	+=	H	H			17			17
Dry Wash		H	H						H
Mudflat			H						+=
Sandflat		H	-					-	TH .
Wetlands			H	- 12					H
Slough		H	++						18
Prairie pothole	-	H							++
Wet meadow		H	-						17
	+ -	H	++					-	+=
Playa lake		H	H						+ = -
Vernal pool		-		-			⊢⊢		17
Natural pond			-				-   -		++
Other water (identify type)									
	-								
¹Check appropriate boxes that be	net devenibe	town of ion	Interd or	an navigabl	a intra state	water presen	t and best estima	to for size o	f non-
jurisdictional aquatic resource a		type or iso	iateu, ne	on-navigaoi	e, mira-stati	e water presen	t and Dest estima	te tor size o	i non-
Julistictional aquatic resource at	Car								
Migratory Bird Rule Factors':				If Known	1	If Unknown	i		
						Use Best Pr	ofessional Judgm		
				Yes	No	Predicted	Not Expected		Able To Make
						to Occur	Occur		etermination
Is or would be used as habitat for	birds prote	ected by							
Migratory Bird Treaties?				M			10		
Is or would be used as habitat by cross state lines?	other migra	atory birds	tnat	$\boxtimes$					
Is or would be used as habitat for	endangere	d species?	8-7-LH1						
Is used to irrigate crops sold in in	terstate cor	nmerce?					15		
Check appropriate boxes that be	est describe	potential f	or appli	cability of t		y Bird Rule to	apply to onsite,	non-jurisdic	tional, isolated,

## TYPE OF DETERMINATION:

non-navigable, intra-state aquatic resource area.

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Preliminary ☐ Or Approved ⊠

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJEC	l MANAGE	R: S	teve Gagn	on	Date:	30 April 20	04		
PROJECT REVIEW/DET	ERMINATI	ON COM	IPLETED		the office roject site Y		Date: ate: 30 Apr	il 2004	
PROJECT LOCATION IN	FORMATI	ON:		11.00 June 1.00 June 1.00					
State:						Illinois			
County:						Cook			
Center coordinate						41 -46-2	26.4790; 87	-53-10.2146	
Approximate size	of site/prope	erty (inclu	iding upla	ands & in a	icres):	4.91			
Name of waterway	y or watersh	ed:				Des Pla	ines River V	Vatershed	
SITE CONDITIONS:									
			1	T	1	1 45 55	1	1	
Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		$\boxtimes$							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

Migratory Bird Rule Factors <sup>1</sup> :	If Knov	vn	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?		$\boxtimes$				
<sup>1</sup> Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability o	f the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolate	

Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-

TVDE	OF	DETER	MINA	TION
	111	DELER	TAR B. 3 / 3	LICE .

jurisdictional aquatic resource area.

DISTRICT OFFICE: Chicago FILE NUMBER: 200400501

Preliminary ☐ Or Approved ☒

APPLICANT: Heuer & Associates PROJECT LOCATION/WATERWAY: 4.91 Acre Property East of Willow Springs Road and North of Joliet Avenue in Lyons Township, Cook County, Illinois (Section 20, T38N, R12E).
FILE NUMBER: 200400501 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)  Based on available information:  There are no waters on the project site.  There are non-jurisdictional waters on the project site.  There are waters of the United States on the project site.  There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
<ul> <li>☑ There are no jurisdictional waters of the United States present on the project site.</li> <li>☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))</li> <li>☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))</li> <li>☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))</li> <li>☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent other wetlands. (33 CFR 328.3 (a)(7))</li> <li>☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).</li> <li>☐ Other:</li> <li>☐ Section 10 waterway.</li> </ul>
Information Reviewed
U. S. Fish and Wildlife Service National Wetland Inventory: HINSDALE.  U. S. Geological Survey Hydrologic Atlas: HINSDALE, 86.  USDA Natural Resources Conservation Service Soil Survey for Cook County.  U. S. Geological Survey 7.5 Minute Topographic Maps: HINSDALE, 1993.  U. S. Geological Survey 7.5 Minute Historic Quadrangles:  U. S. Geological Survey 15 Minute Historic Quadrangles: RIVERSIDE, 1902.  Acrials (Name & Date):AirPhoto 1999  Advanced Identification Wetland Maps:  Site Visit Conducted on: 22 April 2004  Other information:  Rationale for Basis (applies to any boxes checked above): Large wetland on property drained through a culvert under Willow Springs Road to the west into a drainage ditch. Flow in the ditch continued south for a couple blocks and entered a storm sewer
system. It is believed that the water then flowed west in the storm sewer and eventually entered Flag Creek, but that could not be confirmed. The small wetland on the property was isolated.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other:  wetland boundary
Basis for Declining Jurisdiction:
<ul> <li>☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)</li> <li>☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> <li>☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria</li> </ul>
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationalc]
Confirmation of Wetland Boundaries  ☐ This office concurs with your wetland delineation report dated , prepared by ☐ This office does not confirm your wetland boundary.
Recommended by Date: So April 2004
Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.